

UNITED STATES OF AMERICA

v.

CARLOS MANUEL PEREZ

: CRIMINAL NO. _____

: DATE FILED: _____

: VIOLATIONS: **21 U.S.C. §§ 841 (a)(1) and
 (b)(1)(C)(distribution of
 cocaine - 1 count)**
**21 U.S.C. §§ 841 (a) (1) and
 (b)(1)(B)(possession with
 intent to distribute more
 than 5 grams of cocaine
 base (“crack”) -1 count)**
**21 U.S.C. §§ 841(a)(1) and
 (b)(1)(B)(possession with
 intent to distribute more
 than 500 grams of cocaine -
 1 count)**
**18 U.S.C. § 2 (aiding and
 abetting)**
Notice of prior conviction
Notice of forfeiture
Notice of additional factors

COUNT ONE

On or about October 21, 2003, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 111.9 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II

controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about October 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant

CARLOS MANUEL PEREZ

knowingly and intentionally possessed with the intent to distribute, and aided and abetted the possession with intent to distribute of, more than 5 grams, that is, approximately 15.8 grams of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about October 22, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant

CARLOS MANUEL PEREZ

knowingly and intentionally possessed with the intent to distribute, and aided and abetted the possession with intent to distribute of, more than 500 grams, that is, approximately 1,972.16 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

NOTICE OF PRIOR CONVICTION

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

The defendant committed the offenses charged in Counts One, Two and Three of this information after having been convicted of felony drug offenses as follows:

(1) On or about April 15, 1998, in the United States District Court for the Eastern District of Pennsylvania, the defendant was sentenced following his conviction for distribution of cocaine and possession with intent to distribute cocaine, under docket number 97-CR-600.

NOTICE OF FORFEITURE

As a result of violations of Title 21, United States Code, Section 841, set forth in Counts One, Two and Three of this information, the defendant

CARLOS MANUEL PEREZ,

shall forfeit to the United States:

(a) Any property used or intended to be used, in any manner or part, to commit or facilitate the commission of the violations of Title 21, United States Code, as charged in this information;

(b) Any property constituting, or derived from, proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code, as charged in this information, including but not limited to the sum of \$1,750.

If any of the property described above as being subject to forfeiture, as the result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section

853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF ADDITIONAL FACTORS

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

In committing the offenses charged in Counts One through Three of this information, defendant

CARLOS MANUEL PEREZ,

(a) Committed the instant offense while under a criminal justice sentence, that is, supervised release, as defined by U.S.S.G. § 4A1.1(d).

PATRICK L. MEEHAN
UNITED STATES ATTORNEY

